

Senate Bill 33

By: Senators Harbison of the 15th, Johnson of the 1st and Brown of the 26th

**AS PASSED**

**AN ACT**

To amend Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to emergency management, so as to authorize the development and implementation of a state-wide first responder building mapping information system; to provide legislative findings and declarations; to provide for definitions; to provide for rules and regulations; to amend Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public disclosure is not required and disclosure of exempting legal authority, so as to the exempt such building mapping information from public disclosure; to repeal conflicting laws; and for other purposes.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

**SECTION 1.**

Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to emergency management, is amended by adding a new article to read as follows:

**"ARTICLE 9**

**38-3-140.**

The General Assembly recognizes the extreme dangers present when the safety of our citizens requires first responders such as police and firefighters to evacuate or secure a building. To better prepare for responding to disasters, criminal acts, and acts of terrorism, the General Assembly intends to create a state-wide first responder building mapping information system that will provide first responders with information they need to be successful when disaster strikes. The first responder building mapping information system shall be developed for this limited and specific purpose and does not impose standards or system requirements on any other mapping systems used for any other purpose.

**38-3-141.**

As used in this article, the term:

(1) 'Agency' means the Georgia Emergency Management Agency established by Code Section 38-3-20.

(2) 'Building mapping information system' means a state-wide informational system containing maps of designated public buildings.

(3) 'Director' means the director of the agency.

38-3-142.

(a) Subject to availability of funds for such purposes, the agency may be authorized to create and operate a building mapping information system and may make grants to local governments for purposes of this article. Once the building mapping information system is operational, the agency shall make the building mapping information available electronically to all state, local, and federal public safety agencies.

(b) Once the building mapping information system is operational, it shall be within the discretion of state and local agencies to determine which government owned or leased buildings, if any, should be mapped, with special consideration given to schools, courthouses, and larger public structures utilized by large numbers of employees or private citizens. Nothing in this article shall require any state or local agency to map any building.

(c) State and local agencies electing to participate in the building mapping information system once such system is operational shall forward to the agency the building mapping information as provided in subsection (d) of this Code section. Any private entity or department or agency of the federal government that desires to participate in such system may also voluntarily forward its building mapping information to the agency. The agency may refuse any information that does not comply with the agency's specifications and requirements.

(d) The agency shall be authorized to develop rules and regulations for the purpose of implementing the provisions of this Code section. Such rules and regulations shall specify:

(1) The type of information to be included in the building mapping information system which shall at a minimum include floor plans, fire protection information, evacuation plans, utility information, known hazards, and text and digital images showing emergency personnel contact information;

(2) The building mapping software standards that shall be utilized by all entities participating in the building mapping information system; and

(3) Security procedures to ensure that the information shall only be made available to the government entity that either owns or operates the building or is responding to an emergency incident at the building.

(e) The agency may be authorized to pursue federal funds or other sources of funding for the creation and operation of the building mapping information system and shall be further authorized to seek or assist state and local agencies in obtaining grants or donations for the mapping of government owned or leased buildings.

(f) Information provided to the agency under this article shall be exempt from public disclosure to the extent provided in subparagraph (21) of subsection (a) of Code Section 50-18-72.

(g) The agency may recommend training guidelines regarding use of the building mapping information system for law enforcement officers, firefighters, and other authorized emergency first responders.

(h) Nothing in this Code section supersedes the authority of state departments and agencies and local governments to control and maintain access to information within their independent systems.

38-3-143.

Local governments and agencies and their employees shall be immune from civil liability for any damages arising out of the creation and use of the building mapping information system unless it is shown that an employee acted with gross negligence or bad faith."

## **SECTION 2.**

Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public disclosure is not required and disclosure of exempting legal authority, is amended by striking the word "or" at the end of paragraph (19) of subsection (a), by striking the period at the end of paragraph (20) of such subsection and inserting in lieu thereof "; or", and by adding a new paragraph to such subsection to read as follows:

"(21) Building mapping information produced and maintained pursuant to Article 9 of Chapter 3 of Title 38."

## **SECTION 3.**

All laws and parts of laws in conflict with this Act are repealed.